

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 ERIK HEINECKE,

8 Plaintiff,

9 v.

10 ANDREW SAUL, Commissioner of  
11 Social Security,<sup>1</sup>

12 Defendant.

C15-1835 TSZ

ORDER

13 Plaintiff's unopposed motion, docket no. 22, is GRANTED, and pursuant to 42  
14 U.S.C. § 406(b), plaintiff's counsel, Victoria B. Chhagan, is AWARDED attorney's fees  
15 as follows. Of the \$15,754.00 withheld by the Social Security Administration, \$8,600.00  
16 shall be paid to plaintiff's counsel, Victoria B. Chhagan, of Douglas, Drachler, McKee  
17 and Gilbrough at 1904 Third Avenue, Suite 1030, Seattle, WA 98101.<sup>2</sup> The balance of

18 <sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Andrew Saul, Commissioner of Social Security, is  
19 SUBSTITUTED for Carolyn W. Colvin, former Acting Commissioner, who had been succeeded by  
Nancy Berryhill after this matter was remanded in May 2016 to the Social Security Administration for  
further administrative proceedings.

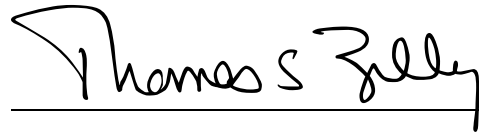
20 <sup>2</sup> Plaintiff's counsel was previously awarded \$3,096.37 in attorney's fees and costs pursuant to the Equal  
21 Access to Justice Act, 28 U.S.C. § 2412. *See* Order (docket no. 21). The Social Security Administration  
22 indicated by letter date-stamped March 14, 2019, that it has paid plaintiff's counsel \$5,907.00 (\$6,000.00  
minus \$93.00 user fee). Ex. B to Chhagan Decl. (docket no. 22-6). The balance of the 25% of past-due  
benefits withheld by the Social Security Administration for direct payment of attorney's fees is therefore  
\$9,754.00 (\$15,754.00 minus \$6,000.00), but plaintiff's counsel seeks only \$8,600.00 of this amount.

1 the withheld past-due benefits (\$7,154.00 minus any applicable fees) shall be released to  
2 plaintiff, Erik Heinecke.

3 The Clerk is directed to send a copy of this Order to all counsel of record.

4 IT IS SO ORDERED.

5 Dated this 8th day of July, 2019.

6  
7 

8 Thomas S. Zilly  
9 United States District Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23